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FAX

Date July 21, 2005 To Examiner Susan F. Rayyan Of PTO Group Art Unit 2167 Fax 703-872-9306 From J. Warren Lytle, Jr. Subject Response to Final Office Action Our Ref A8508 Appln No 10/082,327 Conf No 3782 Inventors John M. GARTH, et al.

Please call attention to problems with this transmission by return fax or telephone. Thank you.

3 (including cover sheet)

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This fax filing includes:

- 1. This cover sheet
- 2. Notice of Appeal (in duplicate)
- 3. Petition for Extension of Time (in duplicate)

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CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

Pages

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Susan F. Rayyan at the Patent and Trademark Office on July 21, 2005 at 703-872-9306.

Respectfully submitted

Stephanie Hogar

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A8508

PATRAL PAX CENTER

John M. GARTH, et al.

Group Art Unit: 2167

JUL 2 1 2005

Appln. No.: 10/082,327

Confirmation No.: 3782

Examiner: Susan F. Rayyan

Filed: February 26, 2002

For: SYST

SYSTEM AND METHOD FOR PREDICTING EXECUTION TIME OF A DATABASE

UTILITY COMMAND

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated March 21, 2005.

Please charge the deposit account for the statutory fee of \$500.00. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Registration No. 39,283

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Date: July 21, 2005

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